

Attorney Docket No: 23681-9978US
Client Ref: 503096
USSN: 09/976,858

REMARKS

STATUS OF THE CLAIMS

Claims 1-70 were pending in this application. Claims 13-55 and 68-70 were previously withdrawn from consideration. Claims 4, 5, 59, and 60 have been cancelled without prejudice. Claims 1, 2, 6, 7, 56, 57, 61, and 62 have been amended herein. Following entry of the amendments claims 1-3, 6-12, 56-58, and 61-67 will be pending and at issue.

SUPPORT FOR AMENDMENTS TO THE CLAIMS

Support for the amended claims is to be found throughout the application as filed, e.g., in the corresponding original claims and in the specification at page 28, line 11 to page 31, line 4; at page 29, lines 10-14; and at page 3, line 21; and in SEQ ID NOs: 41 and 42.

To further prosecution, Applicant has cancelled without prejudice claims 4, 5, 59, and 60, rendering the pending rejections moot. Applicant reserves the right to file subsequent applications claiming the canceled subject matter. In addition, the claim cancellations should not be construed as abandonment or agreement with the Examiner's position in the Office Action.

The amendments to the claims therefore add no new matter and entry is respectfully requested.

IDS

Applicant notes with appreciation the Examiner's thorough consideration of the references cited in the IDS (Form 1449) submitted on January 15, 2004.

OBJECTIONS AND REJECTIONS OF THE CLAIMS

The claims were objected to by the Examiner. The claims were also rejected under 35 U.S.C. § 112, second paragraph; under 35 U.S.C. § 112, first paragraph, written description and enablement; and under 35 U.S.C. § 102 (e).

Without agreeing with the Examiner's rejection but to expedite prosecution of this application, Applicant has amended the claims rendering the rejections moot. Withdrawal of the objections and rejections to the claims is respectfully requested.

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STATEMENT OF SUBSTANCE OF INTERVIEW

Applicant thanks the Examiner for her time during a telephone interview on May 23, 2005. Applicant agrees with the Examiner's Interview Summary.

CONCLUSION

Withdrawal of the pending rejections and reconsideration of the claims are respectfully requested, and a notice of allowance is earnestly solicited. If the Examiner has any questions concerning this Response, the Examiner is invited to telephone Applicant's representative at (415) 875-2316.

Respectfully submitted,
KURT GISH ET AL

Dated: 1/17/06

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